

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 10-20.12a as follows:

6 (105 ILCS 5/10-20.12a) (from Ch. 122, par. 10-20.12a)

7 Sec. 10-20.12a. Tuition for non-resident pupils. To charge  
8 non-resident pupils who attend the schools of the district  
9 tuition in an amount not exceeding 110% of the per capita cost  
10 of maintaining the schools of the district for the preceding  
11 school year.

12 Such per capita cost shall be computed by dividing the  
13 total cost of conducting and maintaining the schools of the  
14 district by the average daily attendance, including tuition  
15 pupils. Depreciation on the buildings and equipment of the  
16 schools of the district, and the amount of annual depreciation  
17 on such buildings and equipment shall be dependent upon the  
18 useful life of such property.

19 The tuition charged shall in no case exceed 110% of the per  
20 capita cost of conducting and maintaining the schools of the  
21 district attended, as determined with reference to the most  
22 recent audit prepared under Section 3-7 which is available at  
23 the commencement of the current school year. Non-resident  
24 pupils attending the schools of the district for less than the  
25 school term shall have their tuition apportioned, however  
26 pupils who become non-resident during a school term shall not  
27 be charged tuition for the remainder of the school term in  
28 which they became non-resident pupils.

29 Unless otherwise agreed to by the parties involved and  
30 where the educational services are not otherwise provided for,  
31 educational services for an Illinois student under the age of  
32 21 in a residential program designed to correct alcohol or

1 other drug dependencies shall be provided by the district in  
2 which the facility is located and financed as follows. The cost  
3 of educational services shall be paid by the district in which  
4 the student resides in an amount equal to the cost of providing  
5 educational services in a treatment facility. Payments shall be  
6 made by the district of the student's residence and shall be  
7 made to the district wherein the facility is located no less  
8 than once per month unless otherwise agreed to by the parties.

9 Through the 2010-2011 school year, any restriction on the  
10 amount of tuition a school district may charge a non-resident  
11 pupil does not apply to a school district that, during February  
12 2005, requested a 5-year mandate waiver or modification with  
13 respect to this restriction in accordance with Section 2-3.25g  
14 of this Code and for which the General Assembly approved only  
15 one year of the 5-year request.

16 (Source: P.A. 89-397, eff. 8-20-95; 90-649, eff. 7-24-98.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.